

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

IN RE: THE APPLICATION OF:

CASE NO: 1:15-cv-947

DOMENCO TAGLIERI  
Via Jan Palach 1  
Appartamento 4  
48022, Lugo, RA

Plaintiff

v.

MICHELLE MONASKY  
6424 Artmar Drive  
Painesville, Ohio 44077

Defendant.

JUDGE

**COMPLAINT FOR RETURN OF  
CHILD PURSUANT TO THE  
INTERNATIONAL CHILD  
ABDUCTION REMEDIES ACT (42  
USC §11601, et seq.), PRELIMINARY  
INJUNCTION, AND MONETARY  
DAMAMGES**

**JURISDICTION**

1. This action is brought pursuant to The Convention on The Civil Aspects of International Child Abduction, done at the Hague on October 25, 1980 (“Convention”) and 42 USC §11603(b) of the International Child Abduction Remedies Act (“ICARA”).

2. The objectives of the Convention are to secure the prompt return of children wrongfully removed to or retained in any Contracting State, as defined in the Convention, and to ensure that rights of custody and access under the laws of each of the Contracting States are respected in other Contracting States.

3. The United States is a Contracting State under the Convention.

4. Italy is a Contracting State under the Convention.

5. Jurisdiction is proper pursuant to 42 USC §11603.

**FIRST CAUSE OF ACTION**  
**(Return of Minor Child)**

6. Plaintiff incorporates paragraphs 1 through 5 of his Complaint as if fully rewritten herein.

7. Plaintiff is the natural father of Annabelle Marie Taglieri (DOB February 13, 2015), and has the right to custody of the minor child pursuant to Articles 3 and 5 of the Convention. A copy of Annabelle's birth certificate from Milan, Italy, is attached as Exhibit 1.

8. At all relevant times prior to March 31, 2015, Plaintiff and Defendant were married and were residents of Basiglio, Milan, Italy.

9. Annabelle Marie Taglieri was habitually resident in Italy within the meaning of Article 3 of the Convention immediately before her removal from Italy by Defendant.

10. On or about April 16, 2015, Defendant Michelle Monasky, without Plaintiff's consent, wrongfully removed Annabelle Marie Taglieri from Italy within the meaning of Article 3 of the Convention, and continues to wrongfully retain said child within the State of Ohio, Lake County, at the address reflected in the caption.

11. At the time of Defendant's wrongful removal of the minor child from Italy, Plaintiff was entitled to maintain custody of the minor child pursuant to the Italian Civil Code

regarding children, attached hereto as Exhibit 2, and was exercising custody within the meaning of Articles 3 and 5 of the Convention.

12. Plaintiff filed a police report in Lugo, Italy, to report that Michelle Monasky had removed his Daughter from the marital home, as reflected by report setting forth the facts of the abduction attached as Exhibit 3 and incorporated herein as if fully rewritten (translation to be provided).

13. Criminal proceedings have been initiated in Italy against Defendant as reflected in the criminal complaint attached hereto as Exhibit 4.

14. Plaintiff has initiated separation proceedings in Italy, which include a claim for determining custody of the minor child. A copy of the letter of engagement of counsel in Italy, along with a copy of the petition, are attached as Exhibit 5.

15. Plaintiff is entitled to an order requiring the minor child to be returned to Italy, her habitual residence, so that a custody determination may be made by the Italian courts.

**SECOND CAUSE OF ACTION**  
**(Preliminary Injunction)**

16. Plaintiff incorporates the allegations contained in paragraphs 1 through 15 of the complaint as if fully rewritten.

17. Defendant engaged in a series of deceptions to mislead Plaintiff so that she could remove the minor child from Italy, the details of which are set forth in Plaintiff's affidavit, with accompanying exhibits, attached Exhibit 6.

18. Defendant has expressed to Plaintiff an unwillingness to allow Plaintiff to have any contact with his daughter, and may remove the minor child so that Plaintiff cannot have contact with her.

20 Plaintiff believes Defendant, unless enjoined, will remove the minor child from the State of Ohio and beyond the subpoena power of the Court, causing further harm and trauma to the minor child for which there is no adequate remedy at law.

21. Plaintiff is entitled under Article 7(b) of the Convention and 42 USC 11604(a) to an order prohibiting Defendant from removing the minor child from the jurisdiction of this Court pending conclusion of the within proceedings.

**THIRD CAUSE OF ACTION**  
**(Monetary Damages)**

22. Plaintiff incorporates the allegations contained in paragraphs 1 through 21 of the complaint as if fully rewritten.

23. Plaintiff has expended funds for travel expenses, investigations to locate the minor child, and legal fees.

24. Pursuant to Article 26 of the Convention, Plaintiff is entitled to recover the expenditures necessitated by Defendant's wrongful removal of the minor child from Italy.

WHEREFORE, Domenico Taglieri requests that the Court issue the following Orders:

1. An Order requiring Michelle Monasky to appear and show cause why the minor child Annabelle Marie Taglieri should not be returned to Italy, her habitual residence;
2. An Order requiring the immediate return of Annabelle Marie Taglieri to the custody of the Plaintiff or his agent for return to Italy;
3. An Order pursuant to 42 USC §11604 prohibiting the removal of the minor child by Defendant from the jurisdiction of this Court;
4. For payment of his expenditures and costs to date, including the costs of this action and reasonable attorney fees

and for such further relief to which he may be entitled at law and in equity.

NICOLA, GUDBRANSON & COOPER, LLC

/s/ John D. Sayre

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